



**Project #15-042
777 Subdivision
Located at 777 North 700 East**

REPORT SUMMARY...

Project Name: 777 Subdivision
Proponent / Owner: Steve Earl / K. Erik Daines
Project Address: 777 North 700 East
Request: 7 Lot Subdivision
Current Zoning: Campus Residential (CR)
Type of Action: Quasi-Judicial
Hearing Date: August 27, 2015
Submitted By: Amber Reeder, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Subdivision Permit for Project #15-042, 777 Subdivision, in the Campus Residential (CR) zone located at 777 North 700 East, TIN #05-039-0020, -0023, -0024, -0025, -0029.

Current Land use adjoining the subject property

<i>North:</i>	CR: 800 North, residential uses	<i>East:</i>	CR: 700 East, residential uses
<i>South:</i>	CR: residential uses	<i>West:</i>	CR: residential uses

Subdivision Proposal

A 7-lot subdivision is proposed to separate the five (5) existing buildings into individual lots and create two (2) vacant lots for future development. The Land Development Code (LDC) permits subdivisions within the Campus Residential (CR) zone with a maximum density of 40 units per acre and a minimum lot size of 6,000 SF.

Background

There are two (2) existing residences along 700 East that are part of this subdivision. There is a single family residence located at 777 North 700 East that was constructed in 1960. The home has a driveway off of 700 East and 2-car carport. There is curb and gutter constructed on 700 East but it is lacking a sidewalk. The residence at 755 North 700 East was constructed in 1954. It has an existing 1-car carport and driveway located off of 700 East. The Planning Commission issued a Conditional Use and Design Review Permit in 2006 for conversion to a group home. The home is one dwelling unit allowing for group living for up to eight (8) individuals. There is also a driveway between the residences with additional parking that was developed for the group home and connects to the development to the west.

The residence at 668 East 800 North was constructed in 1955 as a duplex. There is curb, gutter, parkstrip, and sidewalk existing on 800 North. In 2007, the Planning Commission approved a Design Review Permit for two (2) 4-plexes to be constructed behind the existing duplex. The 4-plexes have a main and basement level and the units have 3-bedroom, 3-bath layouts.

Density, Lot Width, and Size

The subdivision contains 1.27 acres and proposes 7 lots. There are currently 12 units on the site so the subdivision has a density of 9.5 units per acre. The individual lots range in density between 5 and 20 units per acre. The density is compliant with the allowances of the CR zone.

A minimum lot width of 60' is required. Lots 1, 5, and 6 have street frontage. Each lot has a frontage greater than 60' and access to the street or access lane.

A minimum lot size of 6,000 sq ft is required. All lots meet the minimum size and density. Lot 1 is 6,013 sq ft and if the lot line between Lot 1 and Lot 2 is adjusted to the north to meet setbacks it would need to be adjusted in the access drive to ensure the lot size is a minimum of 6,000 sq ft. As conditioned, the subdivision is compliant with the LDC.

Setbacks

The LDC setbacks in the CR zone and existing and proposed building setbacks are as follows (measured from property lines):

	CR Standard	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7
Front	10'	18' (North)	28' (East)	52' (East)	-	21' (East)	22' (East)	-
Side	8'	10' (West)	5' (North)	7.5' (North)	-	38' (North)	14' (North)	-
Side	8'	27' (East)	7.5' S	21' (South)	-	3' (South) existing	35' (South)	-
Rear	10'	10' (South)	8' (West) existing ok	8' (West) existing ok	-	13' (West)	20' (West)	-
Parking	Behind front wall plane of primary structure	Existing drive off 800 North	Existing ok		Existing	Existing drive off 700 East & Behind front wall plane of primary structure	Existing drive off 700 East & unimproved parking on south side of residence, encroaches front setback	

When the 4-plexes were constructed all the buildings were proposed to be on one parcel. They were built with a separation of 15' between the buildings. Since they were interior buildings all setbacks were considered a side setback, which is why the buildings are 8' off the west property line. The 7.5' setback off the proposed property line between Lot 2 and Lot 3 can be considered as substantial conformance by the Planning Commission. The area is landscaped and meets building codes for separations.

The property line proposed between Lot 1 and Lot 2 is not in compliance with the Land Development Code (LDC). The proposed line only provides for a 5' side yard setback on Lot 2. The plat incorrectly lists the side yard setback requirement as 5'. Should the Commission consider the 7.5' side yard setback acceptable, staff recommends that the lot line between Lot 1 and Lot 2 be adjusted to a 7.5' setback between the buildings. This would allow the setback to be in substantial compliance and be allowed. Otherwise, a lot line would not be allowed between the buildings and the duplex at 668 East 800 North and the north 4-plex will need to remain on the same lot. The owner could also apply for a consideration of a variance.

New construction on Lot 4 and Lot 7 would have to meet all the minimum requirements of the Land Development Code.

Access and Services

The project is not proposing any changes to accesses. The City Engineer recommends the curb cut and access drive off of 700 East be widened to a minimum of 20' to allow for emergency vehicle access. A minimum 20' wide access is required to meet requirements for emergency vehicles such as fire trucks.

The City Engineer also recommends that the access drive provide a minimum width of 24' wherever 90 degree parking is adjacent to a drive. 24' is the minimum lane width required at parking areas. This standard is met at all developed parking areas.

There are easements indicated on the plat for public utility easements. There are City services and utilities available in the area that are sufficient to serve this project.

Parking

The site includes 51 parking spaces. When the duplex at 668 East 800 North and 2 4-plexes were reviewed a minimum of 23 parking spaces were required. The group home at 755 North 700 East was required to have a minimum of 9 spaces and had a condition on their permit that the parking on the north side of the house be screened with landscaping. Landscaping plantings were not installed in the area between the parking area and the property line. Staff recommends that landscaping be installed to screen the area as required in the 2006 approval.

The residence at 777 North 700 East is an existing residence with space for 2 cars in the carport and 2 cars in the driveway. Area to the south of the house is being used for parking. This area is not improved and includes parking in the front setback. Parking in this area needs to be discontinued or improved with a concrete or asphalt surface. The parking area must be to the side or rear of the building so it cannot extend in front of the front plane of the home. If this area is intended for further use as parking, it will need to be indicated on construction drawings for the subdivision so that it can be reviewed to ensure compliance with parking location, dimension, and landscape requirements.

Based on the existing development a minimum of 36 spaces would be required. The site shares parking between the buildings and has a parking pass system. Staff recommends that a shared parking agreement be recorded on all the properties indicating parking is shared as each lot does not meet parking requirements individually on their lot.

Open Space and Landscaping

The CR zone requires a minimum of 20% of lot to be open space and 10% useable outdoor space. The lots provide the following:

	CR Standard	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7
Square Footage	-	2600	2317	3777	2256	2660 (DRP/CUP required a minimum of 3696 sf)	3626	6260
Percentage	30%	43%	26%	35%	68%	38%	45%	83%

Lot 2 provides 26% of the lot area as land set aside space. Should the lot line between Lot 1 and Lot 2 be adjusted to meet setbacks, this will increase the percentage on Lot 2 to approximately 28% and Lot 1 will still be at approximately 40%. Lot 2 can be considered by the Planning Commission to be in substantial compliance at 28%.

The Design Review and Conditional Use Permit for Lot 5, 755 North 700 East, required a minimum of 3696 sq ft of open space based on the lot size and proposal at the time. The Lot as proposed in this subdivision does meet the minimum requirements of the CR zone. When the

group home was approved in 2006 the zoning was MFH and the landscaping requirement was based on the lot size being developed. The minimum lot size requirement in 2006 for a single family dwelling was 6,000 sq ft. Group living required a Conditional Use Permit and the Planning Commission reviewed the site based on a proposed 16,055 sq ft lot. A smaller proposed lot would have required less landscaping than 3696 sq ft but we don't know if conditions or considerations for the group living use may have been different with a different lot size or proposal at that time. The Planning Commission may consider some scenarios with Lot 5:

- As the proposed landscape meets the minimum standards for the CR zone, the Lot may be considered compliant. The use is required to provide a minimum of 9 parking spaces and they are provided within the subdivision. The occupancy is granted at a maximum of 8 per the Permit so the site meets the CR parking requirement. The site does reasonably provide for the use and occupancy within current standards.
- Lot 5 may be required to maintain the minimum requirement of the Conditional Use permit and be adjusted to accommodate 3696 sq ft of landscaping and open space. The lot line between Lot 4 and Lot 5 could be adjusted to provide additional open space to Lot 5. Lot 4 could not be adjusted to less than the minimum lot size of 6,000 sq ft.
- The 755 North 700 East residence could abandon the group living use allowing up to 8 residents and return to a single family dwelling unit. It would be allowed a maximum of 6 residents in the building and the landscaping would be compliant as proposed.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited and provided from the following City departments or reviewing agencies and applicable comments are included as conditions of approval:

Fire Department	Environmental (Waste Management)
Engineering	City Forester
Water/Cross Connection	GIS

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on August 13, 2015, and the Utah Public Meeting website on August 17, 2015. Public notices were mailed to the 39 property owners within 300 feet of the project site on August 10, 2015.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. A maximum of seven (7) lots may be approved with this subdivision permit.
3. A side yard setback of 7.5' between buildings on Lot 2 and Lot 3 are considered in substantial compliance with the CR standards.
4. The lot line between the buildings on Lot 1 and Lot 2 be adjusted to 7.5' from either building. The lot size of Lot 1 must be a minimum of 6,000 square feet.
5. Landscape be installed between the parking area on the north of the residence at 755 North 700 East to visually screen the parking area from the street.
6. Parking on the south side of the 777 North 700 East residence will be discontinued or be reviewed and developed in accordance with standards in the LDC for location, dimensions, and landscaping.
7. A shared parking agreement will be recorded on the properties.
8. The final plat shall be recorded within one (1) year of this action or comply with LDC 17.58 Expirations and Extensions of Time.

9. Prior to recording of a Final Plat or issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
- a. Fire Department:
 - i. Designate which drive will be for fire apparatus access. Fire apparatus access shall be 20 ft wide at all points with a minimum 12' 6" height. If the access is longer than 150 ft then an approved turnaround is required.
 - ii. At Design Review, fire hydrant locations and available fire water flow will be reviewed to ensure adequate supply for building size and type.
 - b. Environmental (Waste Management):
 - i. Existing dumpster size and location adequate. New construction can share existing dumpsters.
 - c. Engineering:
 - i. PUE & Access Easement recommended to be a minimum of 24' between Lots 4-7 if vehicles are to continue backing from 90 degree parking stalls as done currently.
 - ii. Provide storm water detention/retention to meet current City design standards for entire site (subdivision).
 - iii. Construct sidewalk along frontage on 700 East. Contact Engineering to determine location and layout as grades may require retaining walls or other grade separation structures to accomplish.
 - iv. Curb and gutter along 700 East and curb, gutter, and sidewalk on 800 North to be maintained and repaired, if necessary, to meet City standards and specifications.
 - v. Enter into water, sewer and storm water private utility agreements with Logan City prior to recording plat.
 - vi. Each unit of the four-plex on Lot 7 shall have individual sewer lateral connection to sewer main. Fixture count may be considered.
 - vii. Each unit of the four-plex on Lot 7 shall have individual water meter and service connection. Fixture count may be considered.
 - viii. A home/business owners association (HOA) shall be required to ensure an entity has been formed to accept responsibility for the proper maintenance of utilities, storm water facilities, and surface improvements (i.e. roads, curb, gutters, water mains/services, sewer mains/laterals, and storm water post construction BMP's).
 - ix. Provide necessary Erosion and Sediment Control Plan and/or Storm Water Pollution Protection Plan with NOI from State as required based on land disturbance area requirements.
 - x. Current access to 700 East is approximately 16', may need to widen to 20-22 feet for emergency vehicle access. Address in subdivision construction drawings or with a work in right-of-way permit.
 - xi. Water rights or in-lieu fee for water rights to be provided for subdivision site.
 - xii. See Land Development Code §17.47 for required signature blocks and all required items to be shown on the final plat. Final plat is submitted to City Engineer after Planning Commission meeting and must include any conditions from the Preliminary Plat Subdivision Permit.
 - d. GIS:
 - i. Address for new construction or any changes to existing addressing to be assigned by Logan City GIS Administrator.
 - e. City Forester:
 - i. Street trees to be maintained. Any modifications to streetscape to include street trees at a minimum average of 30' on center. Species and location to be coordinated with the City Forester.
 - f. Water/Cross Connection:
 - i. All water meter setters must meet current City Standards for DBL checks.
 - ii. Some buildings may require proper backflow assemblies per degree of hazards or elevations.

- iii. All landscape irrigation systems must have a high-hazard backflow assembly installed and need to be tested.
- iv. Fire suppression system will need DCDA (ASSE-1048) on riser and need to be tested.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. As conditioned, each lot conforms to the requirements of Title 17 of the Logan LDC in terms of lot size and development requirements.
3. A side yard setback of 7.5' between existing buildings is in substantial compliance with the side yard setback as the areas are developed, meet building code, and provide for a landscaped separation between the buildings.
4. As conditioned, each lot is suitable for development within the Campus Residential (CR) zone.
5. The Subdivision Permit conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
6. The project meets the goals and objectives of the Campus Residential (CR) designation within the Logan General Plan.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW

☒ Planning Commission ☐ Land Use Appeal Board ☐ Administrative Review

Date Received 07/23/2015	Received By <i>Arden</i>	Receipt Number	Zone CR	Application Number PC 15-042
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME 777 Subdivision				
PROJECT ADDRESS 777 N 700 E			COUNTY PLAT TAX ID # 05 - 039 - 0023	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) STEVE GALL				MAIN PHONE # 435-713-0099
MAILING ADDRESS 1001 WEST 400 NORTH STE 130 Logan		CITY Logan	STATE UT	ZIP 84321
EMAIL ADDRESS OFFICE@CAHILLANDWALK.COM				
PROPERTY OWNER OF RECORD (Must be listed) K. Erik Daines				MAIN PHONE # 801-896-3745
MAILING ADDRESS 1155 W 3150 S		CITY Syracuse	STATE UT	ZIP 84075
EMAIL ADDRESS erik@purplechair.info				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) 17 Two lot subdivision. Intend to construct new 4-plex apartment building on Lot 7.				Total Lot Size (acres) 0.31
				Size of Proposed New Building (square feet)
				Number of Proposed New Units/Lots 2
- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -				
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent <i>[Signature]</i>	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner K Erik Daines	

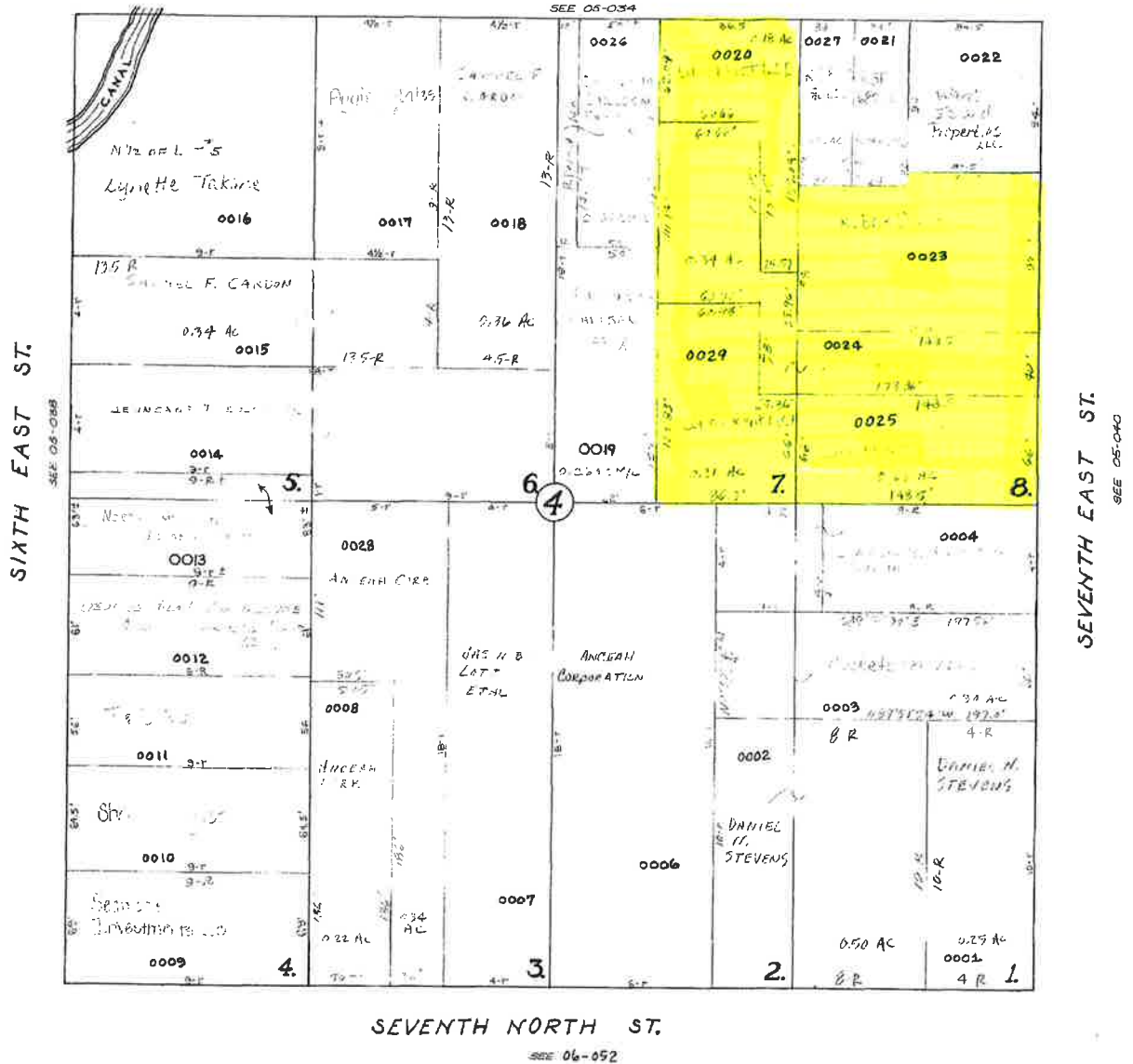
Scale 1 Inch = 50 Feet

TAX UNIT 27

BLOCK 4, PLAT "E" LOGAN CITY

EIGHTH NORTH ST.

PC 15-042





Z:\2015 Projects\15029DAN Erik Daines Apartments 777 N 700 E Logan\ACAD\Survey\Preliminary Plat\15029DAN Preliminary Plat (Current).dwg, 7/28/2015 7:00:18

PRELIMINARY PLAT
777 SUBDIVISION
PART OF SE 1/4 OF SECTION 27, TOWNSHIP 12 NORTH,
RANGE 1 EAST, SALT LAKE MERIDIAN
ALSO PART OF LOTS 7 & 8, BLOCK 4, PLAT "E", LOGAN CITY SURVEY
LOGAN CITY, CACHE COUNTY, UTAH

NOTES & RESTRICTIONS

ALL REQUIREMENTS NECESSARY FOR PUBLIC IMPROVEMENTS AND UTILITIES
SHALL BE FINANCED BY PURCHASER OR SELLER AND NOT BY LOGAN CITY.

SURVEY CERTIFICATE

I, STEVEN C. EARL, A PROFESSIONAL LAND SURVEYOR, HOLD CERTIFICATE
NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH,
AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I
HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT,
WHICH IS ACCURATELY DESCRIBED THEREWITH, AND HAVE SUBDIVIDED SAID
TRACT OF LAND INTO LOTS TO BE HEREFTER KNOWN AS 777 SUBDIVISION,
AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND
AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 12 NORTH,
RANGE 1 EAST, SALT LAKE MERIDIAN, ALSO A PART OF LOTS 7 AND 8,
BLOCK 4, PLAT "E", LOGAN CITY SURVEY, LOCATED IN LOGAN CITY, CACHE
COUNTY, UTAH, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 8;
THENCE N88°44'49"W 235.53 FEET;
THENCE N1°01'46"E 296.34 FEET TO THE NORTH LINE OF SAID BLOCK;
THENCE S88°41'26"E 86.50 FEET ALONG SAID NORTH LINE;
THENCE S1°01'46"W 103.00 FEET;
THENCE S88°41'26"E 69.33 FEET;
THENCE N1°23'33"E 9.00 FEET;
THENCE S88°41'26"E 80.87 FEET TO THE EAST LINE OF SAID BLOCK;
THENCE S1°22'37"W 202.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.27 ACRES, MORE OR LESS.

OWNER'S CONSENT

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT I AM A RECORD OWNER OF
THE SUBJECT PROPERTY PROPOSED ON THIS MAP FOR SUBDIVISION, AND I
CONSENT TO THE FILING OF THIS PRELIMINARY PLAT MAP.

IN WITNESS I HAVE HEREUNTO SET MY SIGNATURE THIS _____
DAY OF _____, 2015.

BY: _____
K. ERIK DAINES

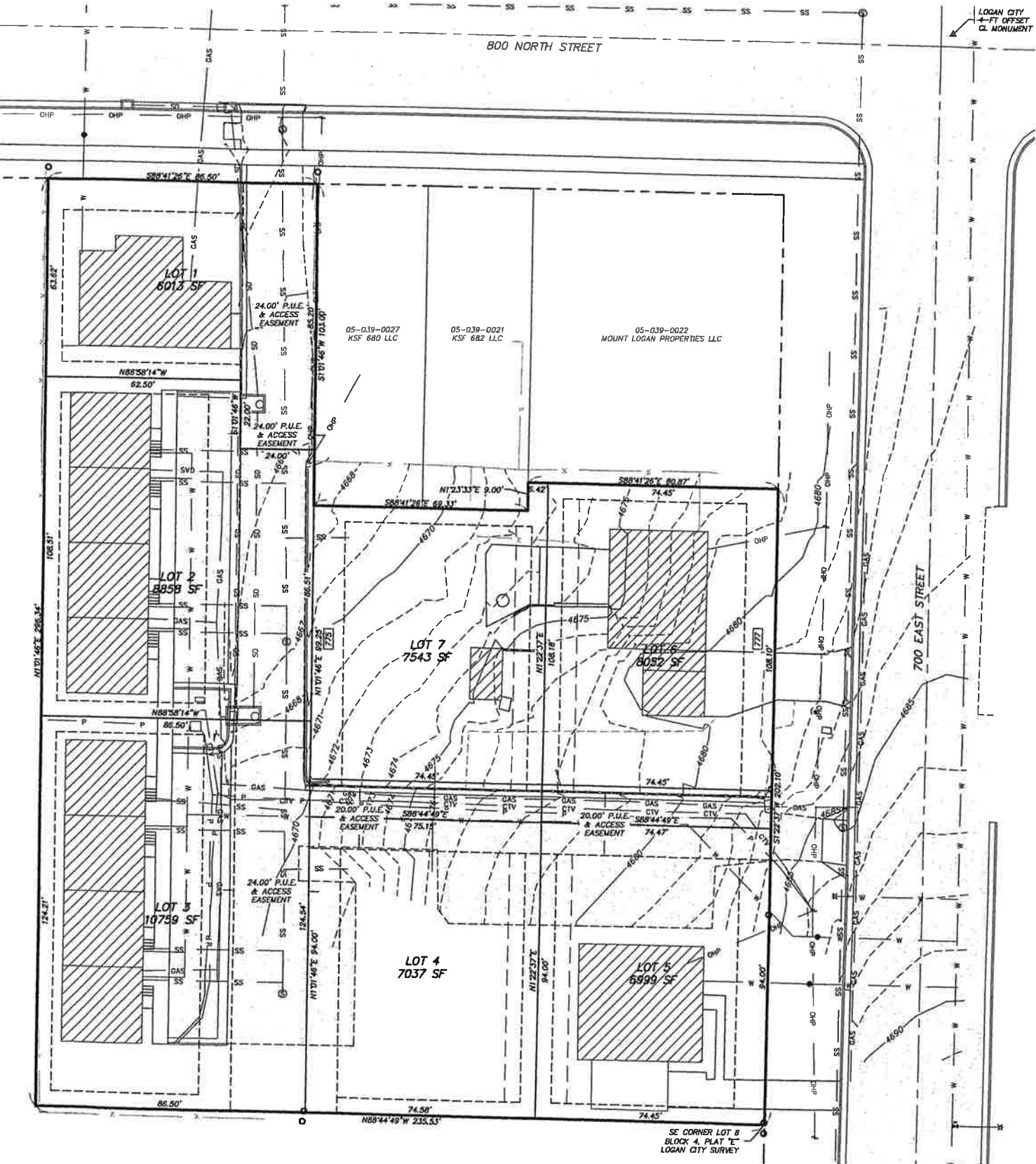
ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF CACHE

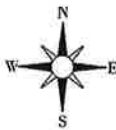
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2015 BY K. ERIK DAINES.

NOTARY PUBLIC SIGNATURE: _____



LEGEND

- BOUNDARY
- LOT LINE
- RIGHT-OF-WAY
- STREET CENTERLINE
- ASPHALT
- PUBLIC UTILITY EASEMENT
15/10' WIDE OR AS NOTED
- BUILDING SETBACKS
10' FRONT/REAR
5' SIDE
- STREET ADDRESS
- SET 5/8" REBAR W/ORANGE PLASTIC CAP
STAMPED "STEVEN C. EARL PLS 318575"
- LOGAN CITY GAS/GPS MONUMENT
- EXISTING SEWER
- EXISTING STORM DRAIN
- EXISTING WATER
- EXISTING FIRE HYDRANT
- 2" WATER METER & SERVICE



CONTACTS

SUBDIVIDER:
K. ERIK DAINES
PARCEL TAX ID #05-039-0023
WARRANTY DEED #980539
1155 W 3150 S SUTCLIFF, UT 84075
(801) 886-3745
ERIK@PURPLECHAIR.INFO

ENGINEER/SURVEYOR: CACHE-LANDMARK ENGINEERING, INC.
1011 W 400 N SUITE 130 LOGAN, UT 84321
ATTN: STEVEN EARL, P.E., P.L.S.
(435) 713-0099
SEARL@CACHELANDMARK.COM



APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2015.

KYMBER HOUSLEY, CITY ATTORNEY

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT
AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND
THE CITY ORDINANCE, THIS _____ DAY OF _____, 2015.

WILLIAM YOUNG, CITY ENGINEER

PLANNING COMMISSION APPROVAL

THIS SUBDIVISION ENTERED INTO CITY RECORDS AS PLANNING COMMISSION
DOCKET # _____ WAS HEARD BEFORE THE COMMISSION IN A PUBLIC
HEARING ON THE _____ DAY OF _____, 2015, AND WAS
APPROVED IN SUBSTANTIAL CONFORMANCE WITH THE REQUIREMENTS AND
DESIGN SHOWN UPON THIS PLAT MAP.

MIKE DESIMONE, DIRECTOR OF COMMUNITY DEVELOPMENT

MAYOR'S APPROVAL AND ACCEPTANCE

PRESENTED TO THE LOGAN CITY MAYOR THIS _____ DAY OF _____
2015, AT WHICH TIME THIS SUBDIVISION WAS
APPROVED AND ACCEPTED.

H. CRAIG PETERSEN, MAYOR

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE
REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____

INDEX
FILED IN: FILE OF PLATS

MICHAEL GLEED, COUNTY RECORDER

PRELIMINARY PLAT

777 SUBDIVISION

PROJECT TITLE



Cache • Landmark
Engineers
Surveyors
Planners

1011 West 400 North
Suite 130
Logan, UT 84321
435.713.0099

DATE:
28 JULY 2015

SCALE:
1" = 20'

CALCULATIONS BY:
S. EARL

CHECKED BY:
S. CROOKSTON

APPROVED BY:
S. EARL

PROJECT NUMBER:
15029DAN

SHEET:

1 of 1